

October 14, 2009

**MINUTES OF AN ADJOURNED REGULAR MEETING
OF THE TORRANCE PLANNING COMMISSION
TORRANCE GENERAL PLAN WORKSHOP #20**

1. **CALL TO ORDER**

The Torrance Planning Commission convened in an adjourned regular session at 7:02 p.m. on Wednesday, October 14, 2009, in the Council Chambers at Torrance City Hall, 3031 Torrance Boulevard.

2. **SALUTE TO THE FLAG**

Commissioner Busch led the Pledge of Allegiance.

3. **ROLL CALL**

Present: Commissioners Busch, Browning, Gibson, Horwich, Skoll and Chairman Weideman.

Absent: Commissioner Uchima (Excused).

Also Present: Deputy Community Development Director Cessna; Planning Manager Lodan; Planning Associate Chun; Planning Associate Cutting; GIS Systems Analyst Gough; Planning Associate Joe; Transportation Planning Manager Semaan; Deputy City Attorney Sullivan; and Project Manager Sedadi; Mr. Bill Halligan, the Planning Center; Ms. Leah Boyer, The Planning Center; and Ms. Laura Stetson, Hogle-Ireland.

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At this time, Chairman Weideman noted that Commissioner Uchima was granted an excused absence from this meeting.

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4. **SUMMARY SEPTEMBER 23RD WORKSHOP & RESPONSE TO COMMENTS**

Chairman Weideman advised that this is the second of two Planning Commission workshops to review and discuss the Draft General Plan and receive public comments; that this is the first review of the Draft Environmental Impact Report (EIR) for the General Plan; and that the Planning Commission will conduct a public hearing on the Draft General Plan and Draft EIR on October 28, 2009, 7:00 p.m., and will make recommendations to the City Council.

Planning Manager Lodan introduced staff members and consultants present. He explained that this is the second workshop to discuss the Draft General Plan and the first to introduce/discuss the Draft EIR for the update to the General Plan.

5. **ENVIRONMENTAL IMPACT REPORT PRESENTATION**

EIR Consultant Bill Halligan, The Planning Center, presented information on the process used in preparing the Draft EIR for the update to the General Plan. He advised that the Notice of Preparation was sent out for a 30-day public review period between November 12, 2008 and December 11, 2008; that a public scoping meeting for the Draft EIR was held on November 12, 2008; that the Draft EIR public review period was July 23, 2009 through September 8, 2009; and that the Final Draft EIR, which included responses to comments received, was released October 8, 2009. Mr. Halligan outlined the following: the issues analyzed; the two significant unavoidable impacts of air quality and noise; the alternatives to the project, which are a procedural requirement of the California Environmental Quality Act (CEQA); and the inclusion of responses to comments/Mitigation Monitoring Program/Statement of Overriding Considerations. He clarified the Planning Commission's ability to consider changes to the General Plan land use designations, provided they are within the scope of the Draft EIR, and the requirement of additional analyses for any changes outside the scope of the Draft EIR.

In answer to questions from the Commission, Mr. Halligan advised that the unavoidable impacts of air quality and noise would exist with any of the alternatives; that responses to comments made at the Planning Commission Workshop on the Draft General Plan on September 23, 2009 were included in the agenda packets for this meeting; and that, while each issue is independent, changes in land use could affect multiple areas of the Draft EIR. He defined "non-attainment area" as any jurisdiction that exceeds Federal air quality requirements.

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6. **COMMUNITY INPUT**

Chairman Weideman invited public input at 7:15 p.m. He reminded those present that discussion this evening should be centered around the Draft EIR and the Draft General Plan; that the Planning Commission plans to make recommendations to the Council at a public hearing on October 28, 2009; and that the general purpose of this meeting is to obtain input from the public and staff.

Jonathan Kaji, 18527 So. Western Avenue, #15, noted the increased vacancies in commercial properties due to the economic down turn and he recommended that parking requirements for commercial retail properties be considered on a case-by-case basis and that they be based on peak demand.

Planning Manager Lodan offered information about the City's parking ratio requirements which and he noted off-site parking arrangements through a conditional use permit (CUP) process. However, he said that, unlike some other cities, Torrance does not have a parking demand study to help mitigate some of the parking required; but, this could be discussed in the future when the Zoning Code is revisited after the General Plan revisions are adopted to insure consistency between the two documents.

Gavin Wasserman, 4788 Steele Street, related his appreciation that a new photo will be taken to replace the photo on Page LU-70 of the Draft General Plan and he suggested that the caption for the photo be changed as well.

Elaine Kong, 22920 Wade Avenue, asked what the City is going to do to mitigate traffic noise and air quality now, rather than in the future. She drew attention to the poor road conditions in the vicinity of 230th Street and Crenshaw Boulevard.

EIR Consultant Halligan explained that traffic noise is an existing problem on many roadways and that it has increased with increased development. However, to help mitigate traffic noise, double paned windows, and a noise wall would be installed with City or Cal Trans'-initiated widening of streets.

General Plan Consultant Laura Stetson, Hogle-Ireland, advised that noise policies are fairly generic; that much traffic noise existed at the time homes were built and it has been inherent in the community for quite some time; and that noise has continued to increase as a result of increased development.

John Jorgensen, 2412-A Amsler Street, Managing Partner Torrance Upholstery, related his concerns over the poor noticing for the General Plan workshops and the affect of zoning changes on the use of commercial properties. Mr. Jorgensen stated his understanding that, according to the Draft EIR, the area of Amsler and Moreton Streets is prone to potential flooding, so a zoning change to Medium/High Residential would not be a smart thing to do. He asked for clarification regarding the 90-day sunset clause and if housing is planned adjacent to the contaminated vacant lot at 2426 Amsler Street.

Planning Manager Lodan explained the noticing procedures for the consideration of the General Plan. He clarified that the proposed Rockefeller development is adjacent to the study area, not in it, and that the study area on Crenshaw Boulevard/Amsler Street, including the bowling alley site and the properties to the east of the City limits, was identified through this process as an area either already in transition or in need of revitalization. Planning Manager Lodan provided clarification regarding the 90-day sunset clause and he indicated that staff will research the problem of zoning and uses when a property is put up for sale but does not sell within 90 days/a business does not operate for 90 days.

Transportation Planning Manager Semaan assured that it would be necessary to correct conditions causing flooding before building permits or a final permit would be issued and that there are Federal Emergency Management Agency (FEMA) guidelines pertaining to flooded areas for all types of development (residential, commercial, industrial) with which the City would comply under the City ordinance.

Chairman Weideman recalled discussion at a previous meeting with regard to rebuilding an establishment that is destroyed beyond 50% when zoning has changed.

Planning Manager Lodan explained that, when an establishment is damaged less than 50% and the zoning has changed, it could be rebuilt; but, if damaged more than 50% it would be a non-confirming use and could no longer continue.

Deputy City Attorney Sullivan advised that, in most cities, when an establishment is damaged beyond 50% and the zoning has changed, the same use could not be rebuilt.

Commissioner Skoll voiced his concern over this requirement.

Jackie Tracey, 2515 Sonoma Street, explained her intent when she purchased property in the area of Sonoma Street and Crenshaw Boulevard to construct condominiums or townhomes in the future and she expressed concerns over the 90-day sunset clause and how it could impact property investments such as hers.

Commissioner Browning voiced his understanding that if a property owner is actively working on a project and in the process of obtaining a building permit, the business would be in continuous use and the 90-day sunset clause would not apply.

Planning Manager Lodan suggested that Ms. Tracy meet with Community Development Department staff to further discuss her concerns. He indicated that the land use designations in the vicinity of Ms. Tracy's property are not in the focus area.

Chairman Weideman voiced his understanding that the land use designation at 2515 Sonoma Street would not be changed with the updates to the General Plan.

Patrick Chung, 2412-C Amsler Street, property owner, questioned the fairness of the 90-day sunset clause and he voiced concern over what would happen to his property if he were to sell it, or if it were destroyed more than 50%. He noted the hardship rezoning would have on his business; asked for reassurance that commercial property owners would not be taking a back seat to future residential developers; and stated his desire for additional information.

Commissioner Browning requested information on the City's ability to protect commercial and residential property owners in residential/commercial mixed-use areas.

Planning Manager Lodan provided input on various Code requirements regulating commercial mixed-uses, such as delivery hours, lot sweeping etc., and he advised that noise attenuation plans required for new residential developments must take into account sources of noise to ensure that noise levels inside units are consistent with Code requirements.

Commissioner Busch pointed out that problems occur when industrial properties are rezoned to residential and the residential then abuts the existing industrial.

Commissioner Skoll entertained the idea of sending letters to industrial property owners to notify them of what could happen if their property is rezoned to residential.

Chairman Weideman noted that property owners, and not lessees, receive the notices from the City.

While he understands concerns, Commissioner Busch cautioned that unnecessary alarm should not be created in that property owners within 500 feet would be notified of changes in land use designations and that the Planning Commission and City Council would hold public hearings to discuss the changes.

Planning Manager Lodan explained that zone change requests and projects typically trigger discretionary action before the Planning Commission and, in many cases, the City Council; that notices would be sent to individuals owning property within 500 feet; and that the requests would be appropriately advertised.

Kathleen Donovan, Donovan Engineering, 2305 Border Avenue, voiced her agreement with the City notifying property owners of potential zoning changes and how they might affect land use. She expressed concern over the poor noticing of the General Plan workshops and suggested that the 90-day sunset clause be expanded to two years.

Planning Manager Lodan advised that the update to the General Plan would change the land use designations in six select focus areas; that several properties currently designated as Local Commercial would become General Commercial; and that changes to zoning would be a separate process subsequent to the adoption of the updated General Plan.

Deputy City Attorney Sullivan advised that, if a use stops for 90 days or a building is destroyed beyond 50% and the land use designation has changed, it could not be rebuilt as the same business and would have to comply with the new designation; and that jurisdictions choose the time frame for sunset clauses and a 180-day sunset clause is fairly common, but staff will examine State law and the Code in this regard and report back to the Commission.

Planning Manager Lodan clarified that the 90-day sunset clause is part of the City's Municipal Code.

Chairman Weideman suggested that the staff report for the meeting on October 28, 2009 include a "Recommendation" section.

Commissioner Busch related his desire for clarification on the 90-day sunset clause prior to making a determination.

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Deputy Community Development Director Cessna explained that Ms. Donovan's business on Border Avenue would not be significantly impacted in that the zoning for the area would change from Office Park to Residential Office and the implementation for those two zones would basically be the same. She indicated that the Planning Commission and the City Council would discuss the sunset clause during the review of/public hearings on the Zoning Code, which would take place after the adoption of the General Plan, after which time the zoning changes would occur.

Deputy City Attorney Sullivan clarified that any non-conforming situations would not exist until the zoning changes happen.

Chairman Weideman related his understanding that potential changes on Border Avenue would not affect Ms. Donovan's business. However, he recommended that Ms. Donovan discuss the potential changes on Border Avenue with staff after this meeting.

Bob Schimmick, 1901, 1915 and 1925 Sepulveda Boulevard, voiced his concern over the poor noticing for the General Plan workshops and that the idea of changing the zoning is being considered after he donated much property for the widening of Sepulveda Boulevard many years ago. Mr. Schimmick asked that the zoning remain the same because too many business zones would be changed to residential.

Planning Associate Joe explained that, should the update to the General Plan be approved, Mr. Schimmick's properties would be amended from Local Commercial to General Commercial zoning, not Medium Residential, and that they are not in the six focus areas.

Deputy Community Development Director Cessna further explained that the change from Local Commercial to General Commercial would allow for a slightly broader range of commercial uses; that residential zoning is not proposed for Mr. Schimmick's properties; and that it is unlikely the zoning on Sepulveda Boulevard would change.

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At 8:15 p.m., there was a recess until 8:30 p.m., when consideration of the Draft General Plan and Draft EIR continued with all Commissioners present (excepting Commissioner Uchima).

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Toni Reina, 2041 Rosecrans Avenue, El Segundo, Continental Development Corporation, supported expanding the 90-day sunset clause to at least 180 days.

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Diana Watson, 2317 Border Avenue, pointed out that Border Avenue is currently at least 80% Light Industrial and, therefore, it would not be logical to change the zoning. She said that, even though the west side of Border appears to be transitional, it is not.

Chairman Weideman clarified that the proposal is to change the west side of Border Avenue from Industrial Business Park to Residential Office.

Commissioner Browning explained that the City must change certain areas to comply with State certification requirements and, in this case, there are six designated areas the City is proposing to change.

Deputy Community Development Director Cessna summarized that the City must change the zoning in various areas to comply with State certification requirements for housing. She noted that all of the focus areas are areas in transition and that they were identified through much study and community outreach.

Raymie McCoy, 1918 W. 220th Street, Save Historic Old Torrance (SHOT), asked that SHOT be included in matters of historical preservation, particularly in Old Torrance.

Bonnie Mae Barnard, SHOT, requested that the Draft General Plan be modified as recommended in her letter of October 14, 2009 (distributed to the Commission at the meeting).

Commissioner Browning related his preference to further review the excellent information presented by Ms. Barnard prior to commenting on it. He agreed with the importance of preserving historical sites/redeveloping areas as historical sites and thanked Ms. Barnard for her efforts.

Commissioner Skoll expressed appreciation of SHOT's efforts toward the Draft General Plan. He stated his agreement with the great majority of the suggestions made by Ms. Barnard and voiced his hope that they will be forwarded for the City Council's consideration.

Addressing a comment in Ms. Barnard's letter of October 14, 2009, Commissioner Gibson emphasized that the omission of any reference to SHOT in the Draft General Plan was, in no way, discriminatory. She favored further review of the documents provided by Ms. Barnard before commenting on them.

Commissioner Busch asked that wording about historic preservation in other cities' general plans, including the City of Los Angeles, be researched.

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Mary Ann Reis, No Address Provided, supported historical preservation as discussed by Ms. Barnard.

Public input ended at 9:00 p.m.

7. **PLANNING COMMISSION DISCUSSION AND INPUT**

Commission discussion began with Commissioner Skoll relating his pleasure in having had the opportunity to review both the Draft General Plan and Draft EIR and he commended staff's efforts related thereto. With regard to the Draft General Plan, he stated his agreement with staff's recommendation in the Hospital/Medical land use category that "Development exceeding a floor area ratio of 0.6 should be reviewed by the Planning Commission to ensure compatibility with existing land use and to allow analysis of traffic and other impacts of new proposals." Commissioner Skoll suggested that the "Circulation and Infrastructure Element" include some type of table showing several things, such as how much rail line has been abandoned/sold to adjacent property owners; the areas that have been abandoned; what, if anything, has been done with these purchased properties; and the other possible areas which the City is investigating for possible purchases from the rail companies. Concerning the "Community Resource Element," he asked when conversions for compliance with the Americans with Disabilities Act standards at Sur La Brea Park would take place. In conjunction with sober living homes and homes for wards of the court, Commissioner Skoll stated his concern over parking and an apparently excessive number of occupants at a sober living home on 235th Street and, in hopes of achieving better compliance, he suggested that the number and locations of sober living homes/Level 14 housing in Torrance be identified in the Draft General Plan.

Deputy City Attorney Sullivan affirmed that sober living homes and homes for wards of the court generally have six or fewer residents and that situations such as the one described by Commissioner Skoll can be addressed. However, he advised against calling out sober living/Level 14 homes in the Draft General Plan, in that doing so could possibly lead to discrimination against residents living there, which could subject the City to liability.

Commissioner Horwich noted that the majority of complaints about inadequate noticing were apparently expressed by tenants because property owners were notified and he pointed out that tenants could also be notified. He asked if the rebuilding of a business destroyed more than 50% would have to be completed in 90 days, or if the process would have to be started in 90 days. Commissioner Horwich pointed out that the six focus areas represent only approximately 2% of the geographical area of the City and, with regard to noise

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abatement, he questioned if there is any suggestion of completely prohibiting leaf blowers or designating times they can be used.

Deputy City Attorney Sullivan advised that the 90 days refers to the continuous operation of a business and that the destruction of a business is a completely separate issue.

Deputy Community Development Director Cessna explained that, if a business license is maintained and the rebuilding of a business is actively pursued, the 90-day sunset clause would not be an issue; and that, at this time, the prohibition of or operating hours for leaf blowers is not being considered. However, it probably will be in the future.

Commissioner Browning related his pleasure in having had the opportunity to review the Draft General Plan and Draft EIR. He extended his appreciation of the members of the public who voiced an interest in the City's General Plan.

Commissioner Busch said that the conclusion is one of the most important things in an EIR and that he concurs with the one in the Draft EIR, which he read aloud as follows: "Implementation of the Torrance General Plan update would have environmental, economic and social benefits that outweigh the unavoidable adverse environmental impacts of the physical development of the City. The Torrance General Plan update would help improve local air quality and green house gas emission impacts by implementing General Plan policies and a climate action plan; enhance open space, recreational, ecological and pedestrian environments; and reduce the environmental impacts associated with traffic congestion." He commended the job done by the consultants and staff.

Chairman Weideman stated his intent to reserve his comments until the Planning Commission meeting on October 28, 2009, with the exception of reiterating comments he made at the last meeting with regard to the weakness of the historical preservation section of the Draft EIR, and he asked that his comments be appropriately included in the minutes for that meeting. He noted that there are some typographical errors and inconsistencies in the General Plan, which he will provide to staff at a later time. Chairman Weideman voiced his appreciation that the Regional Housing Needs Assessment (RHNA) numbers were revised to include July 2008 and he asked whether they include any two on a lot "grandmother" homes/or if any have been built in Torrance.

Planning Manager Lodan related his understanding that the RHNA numbers include anything for which a building permit was pulled, but staff will examine and report back.

Commissioner Gibson asked if “historic preservation” is the same as “historic designation” and, if they are not the same, should a more detailed explanation be included in the Historic Preservation section of the Draft General Plan.

Planning Manager Lodan advised that “historic preservation” and “historic designation” are two different things; that information discussed this evening will be incorporated into the Draft General Plan to help further strengthen the Historic Preservation section; and that a matrix of comments/responses made during this meeting will be compiled.

Commissioner Skoll discussed that commercial zoning is being converted to residential to coincide with RHNA requirements and he felt that this information should be included in the Draft General Plan.

Deputy Community Development Director Cessna explained that transitional areas were identified and examined and the focus areas were then determined, after which RHNA requirements were met. .

8. SUMMARY AND NEXT STEPS

Chairman Weideman advised that the next meeting will include a public hearing and he voiced his intent that, after almost five years, the Commission will vote on the Draft General Plan and Draft EIR at the next meeting and forward it to the City Council.

Planning Manager Lodan anticipated that another matrix of comments/responses will be prepared for the Commission’s review prior to the next meeting on October 28, 2009 and, at that time, staff will bring forward the Initial Study, the Final Draft General Plan and the Draft EIR for the Planning Commission’s consideration, after which it will be forwarded with the Commission’s recommendations to the City Council for final action. He acknowledged the efforts of the Commission and the public in the preparation of the Draft General Plan.

For the record, Chairman Weideman disclosed that he asked staff to provide options for the Commission to consider at the meeting on October 28th. He acknowledged the efforts of the Planning Commission and the public, which have helped to refine the documents and bring forward the best possible General Plan.

Planning Manager Lodan advised that the Planning Commission will be dark on October 21, 2009 and, therefore, this meeting should be adjourned to October 28, 2009.

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Commissioner Gibson requested an excused absence from the Planning Commission meeting on October 28, 2009.

MOTION: Commissioner Horwich moved to grant Commissioner Gibson an excused absence from the Planning Commission meeting on October 28, 2009. The motion was seconded by Commissioner Browning and passed by unanimous voice vote, absent Commissioner Uchima.

9. **ADJOURNMENT**

At 9:25 p.m., the meeting was adjourned to Wednesday, October 28, 2009, 7:00 p.m.

Approved as Submitted October 28, 2009 s/ Sue Herbers, City Clerk
